



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/520,181

05/03/2005

Gunter Bellmann

003301-214

7680

21839

7590

06/13/2007

BUCHANAN, INGERSOLL & ROONEY PC

POST OFFICE BOX 1404

ALEXANDRIA, VA 22313-1404

EXAMINER

EDWARDS, LAURA ESTELLE

ART UNIT

PAPER NUMBER

1734

MAIL DATE

DELIVERY MODE

06/13/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/520,181	<b>Applicant(s)</b> GUNTER BELLMANN ET AL	
	<b>Examiner</b> Laura Edwards	<b>Art Unit</b> 1734	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 10-13, 18 and 19 is/are rejected.
- 7) ☒ Claim(s) 5-9, 14-17 and 20-23 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Eriksson et al (US 6,207,021).

Eriksson et al provide a steel based coating blade comprising a blade for disposal onto a traveling web, said blade having an edge section with a profile conformed to the surface of said web when in engagement therewith, characterized by wherein there is a sacrificial or non-wear resistant layer (col. 1, lines 61-67) covering at least said section and protecting the underlying edge section during the web loading phase, wherein said sacrificial layer is adapted to disappear in a predetermined period of time when using the blade with coating disposed on the web.

Claims 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Bellmann et al (WO 00/48746).

Bellmann et al provide a method of preparing a coating blade for the application of coating color onto a travelling web, said blade having an edge section with a profile conformed to the surface of said web when in engagement therewith, comprising the following steps for providing the blade with a sacrificial layer/soft coating protecting said edge section during a web loading phase: a) preparing a solution containing a material capable of forming a film on evaporation of solvent; b) applying said solution onto at least said section; and c) allowing the

Art Unit: 1734

applied solution to dry so as to form, on at least said section, a solid film having a predetermined thickness; wherein the sacrificial layer is adapted to disappear, when using the blade, as a result of the arrival of the coating color at the coating blade (page 5, lines 5+).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 13, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellmann et al (WO 00/48746).

The teachings of Bellmann et al have been mentioned above but Bellmann et al are silent concerning layering the material to define a plurality of sacrificial layers each applied and dried [by heating]. However, one of ordinary skill in the art would readily appreciate providing a plurality of sacrificial layers applied and dried on the blade surface in order to effect a temporary contacting surface able to maintain protection of the metallic blade surface until web loading

Art Unit: 1734

finished no matter how fast or slow. The determination of a sufficient thickness of coating via sacrificial layering on the surface of the steel blade would be determined via routine experimentation.

Claims 1-4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gane (US 4,728,539) in view of Williams (US 4,291,463).

Gane provides for a flexible polytetrafluoroethylene (Teflon) based coating blade comprising a blade for disposal onto a travelling web, said blade having an edge section with a profile conformed to the surface of said web when in engagement therewith. Gane is silent concerning provision of a sacrificial or water soluble layer covering at least said section and protecting the underlying edge section during the web loading phase, wherein said sacrificial layer is adapted to disappear in a predetermined period of time when using the blade with coating disposed on the web. However, it was known in the blade coating art, at the time the invention was made, to provide a sacrificial or water soluble polymeric layer on a Teflon based blade to act as a lubricant surface or friction-reducing material, the lubricant surface dissolving over a period of time as evidenced by Williams (col. 2, lines 3-11). In light of the teachings of Williams, one of ordinary skill in the art would readily appreciate the use of a water soluble polymer layered on the edge section of the blade to Gane in order to provide lubricity to the blade surface and thereby protect the blade for a predetermined period of time such as during loading.

***Allowable Subject Matter***

Art Unit: 1734

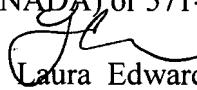
Claims 5-9, 14-17, and 20-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura Edwards whose telephone number is (571) 272-1227. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Philip Tucker can be reached on (571) 272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Laura Edwards  
Primary Examiner  
Art Unit 1734

Le  
June 10, 2007